SPECIAL CITY COUNCIL MEETING

The City Council of the City of Raleigh met in a special called meeting on Thursday, June 7, 1984, at 3:00 p.m. in the Council Chamber of the Municipal Building, 222 West Hargett Street, with the following present:

Mayor Upchurch, Presiding
Ms. Babb
Ms. Block
Mr. Calloway
Ms. Cates
Mr. Congleton
Mr. Keller
Mr. Walters

Mayor Upchurch called the meeting to order indicating this is a special call meeting for the purpose of considering the Capital Improvement Program for FY 84-85 through FY 88-89. He pointed out after the special meeting the City Council would recess to discuss the proposed operating budget for FY 84-85 and then reconvene the meeting for the purpose of continuing the employee evaluations. Mayor Upchurch indicated prior to getting into the Capital Improvement Program, there were several other items that need to be discussed.

CITY COUNCIL MEETING - AUGUST 21, 1984 - CANCELLED

Mayor Upchurch indicated in the past the City Council Members have occasionally cancelled a meeting during the summer in order for City Council members to take vacation. Mr. Calloway moved that the August 21, 1984, Council meeting be cancelled. His motion was seconded by Ms. Cates and put to vote which passed unanimously. The Mayor ruled the motion adopted.

CABLEVISION BUDGET REPORT AND REQUEST - FY 84-85 - RECEIVED

Paul Vandergrift, Jr., chairman of the Telecommunications Commission, was at the meeting indicating Ordinance 1983-167 that established to the Commission indicates that the Commission is responsible for developing budgets for its operating for approval by the City Council. He indicated in accordance with this charge he is submitting the Commissions 84-85 budget report and request. The information included the source of funds and the proposed budget for FY 84-85. He called particular attention to Section 3 Article D which included the proposed Commission expenses. He indicated they are a new Commission and this part of the request is to insure that they will be able to educate the Commission members hopefully by bringing in consultants, conducting workshops, and travelling to see other entities who have cablevision installation. Discussion took place on the proposed budget request and how the franchise fee is to be utilized with Cable Administrator Thomas indicating this proposed budget shows all resources that they will be getting from all sources with the exception of the 3% franchise fee which is not included in this budget request. The request was received as information and referred to the proposed FY 84-85 budget deliberations.

CAPITAL IMPROVEMENT PROGRAM - FY 84-85 THROUGH 88-89 - APPROVED WITH AMENDMENTS: SUBDIVISION REGULATIONS/RESERVATION OF PUBLIC LAND REFERRED TO PUBLIC WORKS COMMITTEE.

Mayor Upchurch indicated the Council has gone through the majority of the Capital Improvement Program and has taken tentative actions. He indicated last meeting Mr. Congleton bought forth an idea of funding the parks program just like the City funds other departments within the City. Mr. Congleton indicated he feels that we should just add parks in the regular operating budget and the Capital Improvement Program as other departments are put in the program and he did not feel we should try to tie the parks program to a particular ratio or percentage of the tax rate. Therefore, he would move that the City Administration be instructed not to include that in the operating or Capital Improvement Program just forward the Parks and Recreation budget as a package just like any other department is forwarded to the City Council and the City Council would address the needs of the Parks and Recreation Program and fund it as desired and not try to tie it to a certain percent or ratio of the tax rate. His motion was seconded by Ms. Babb. Mr. Walters indicated he feels this is a good idea as he feels that the parks program should be treated the same as other departments in the city. Ms. Cates indicated to her it is a good idea as it eliminates the cap for the whole program and allows the City Council to fund programs as it desires. Ms. Block indicated she feels that this program should be presented to the City Council without any cap - top or bottom. She questioned, however, what difference this would make as an Administrative matter in presenting the CIP or operating budget. City Manager Benton indicated the Parks Department from a operating standpoint is dealt with just like other City departments. He stated the practice of setting a certain amount of property taxes aside for parks capital is a policy of the City Council. He indicated if the Council passes this motion it would still be handled in the same manner in the Capital Improvement Program and then the City would have to identify what that does to the operating budget. He indicated he feels it will bring the Capital Improvement Program closer to the operating program and the Council would balance the capital and operating budgets together. He stated it may complicate the Capital Improvement budget approval somewhat as he feels it would orient it, the Capital Improvement Program, more in the policy discussion direction. The motion as

stated was put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

City Manager Benton indicated during the last budget discussion Ms. Babb had requested some information and Administration has forwarded memos to the Council on this item and he would be glad to explain. Ms. Babb indicated the two memos from the City Manager's office have helped in her thinking about his item. She pointed out in addition the Council has had preliminary discussions around the table on what the needs are. She indicated as everyone is probably aware she and some other Council members have been concerned that the park land acquisition program is not moving forward as fast as she would like to see it. She pointed if you couple that with the growth in our area and anticipated growth, she has come to believe that if the Council does not take a bold step forward and commit the Council to land acquisition, she feels the City is going to be in trouble as the land in the area is being used up and developed fast and there will not be land left for parks. She indicated she is pleased with the Capital Improvement Program Administration has offered overall, but there may be some fine tuning that needs to be done and at this point she would move that this City Council go on record as committing $300,000.00 this year for park land acquisition and project an additional $300,000.00 appropriation for the subsequent four years (five years in total) to Parks and Recreation and specifically earmark this money for park land acquisition. Her motion was seconded by Mr. Congleton.

Ms. Cates indicated she is a little troubled with the giant steps we are talking in transportation and the slow rate we are moving in land acquisition. She stated in her opinion an investment in land today is equal or better than anything the City could do. She stated there are four different groups who are in our area who are buying everything that they can get their hands on and she feels that the land just will not be available in years to come. Therefore, she feels it would be better to appropriate $500,000.00 for park land acquisition for three years rather than $300,000.00 for five years. She stated she was just not sure what $300,000.00 would buy taking into consideration the demand on land today and inflation. She indicated in addition to placing some of this money in the budget for land acquisition she would like to know that there are/is staff person or persons in the City who's responsibility is to be alert to good land that becomes available so that the City could act on it pointing out she is not aware that there is anyone on staff that actually goes out and looks for land for City acquisition. She indicated in addition to this she would also like to suggest amending our subdivision regulations to require large tracts of land that is being developed to set aside a certain amount land for public purpose. Ms. Cates then offered a substitute motion that this City Council commit $500,000.00 for three years in the budget (this year and the two subsequent years) for land acquisition for the Parks and Recreation Program. Her motion did not receive a second.

Mr. Walters indicated he just did not believe that this City Council would set in here talking about how much money is going to be set aside before it decides whether to set aside any money for parks acquisition. He stated he feels that the City has done a very good job in land acquisition pointing out the Real Estate Committee talks about park land acquisition almost every meeting. He stated he feels we are moving forward progressively on park land acquisition pointing out he would almost recommend deleting the park in the northeast section as he knows that there is a twenty acre tract going to be dedicated to the City. He indicated if land become available that the City wants to acquire we have always be able to find the money to do it. He stated you can always transfer money from one item to another and replace it in a subsequent year's budget. Mr. Congleton indicated he thinks Mr. Walters has done a good job in the Real Estate Committee in the land acquisition thus far. He stated, however, his feeling as a new member of the Real Estate Committee and Council is that we should have money set aside for land acquisition. He indicated it is fine to say that the City Council will come up with the money if needed, but he does not feel that that is a progressive approach. He pointed out if we set up the $300,000.00 in this years operating budget and in four subsequent CIP budgets then that is basically saying that this City Council has a continued commitment to the excellence of the Parks and Recreation Program. He stated he just wants to assure that areas that we have now and areas that will be annexed in the future will have the same level of parks service and have access to parks as the existing City. He indicated the North CAC passed a motion to ask him to support $500,000.00 for five years, and at this point he feels that $300,000.00 is a compromise. He indicated setting it up in the budget does not mean that the City would spend money just to say it is spent, but if the City sees a parcel of land that is needed and is in a good location, there will be funds to purchase it before it gets away. Ms. Babb indicated if the Council places this money in the budget for Parks and Recreation, in her opinion, that would be mandating acquisition of this land. She stated there are two different approaches to take. She pointed out we are in an era where we must begin to assume the responsibility of an major urban area. She stated $300,000.00 a year is not much money pointing out one memo said that park land would be in the neighborhood of $15,000 to $25,000.00 per acre so $300,000.00 would be only about 15 acres and in her opinion that is minimal in the terms of a neighborhood park. She stated she feels that we need to focus on neighborhood parks scattered throughout the city pointing out we are developing fast and when you are talking about a sea of suburbs or subdivisions, 15 acres is not that much land. She stated she would like to appropriate more money for land acquisition and had talked with Ms. Cates about this. She pointed out another memo received from Administration lays out a list of areas need to be served with parks. She pointed out of the eight community parks projects listed, it is indicated that in seven no land has been acquired. She stated the memo identified eleven neighborhood parks and land acquisition has occurred in only one of these areas. She pointed out the budget process is not just playing with a bunch of numbers that it is

the City Council's opportunity to say what programs are priorities and to set policy and for her acquisition of land for parks is a top priority. Ms. Cates indicated Ridge Road Park is a good example pointing out the neighborhood realized that they had no park land available to them and finally money was appropriated in the budget but it was three years later before a park was nailed down for the area and by that time the price of land had gone up and they had to pay a good price for left over land but that was all that was available The acquisition of park land in the Ridge Road area was discussed. Ms. Block indicated she feels the Council needs to consider where we are an where we are going and how the city is growing. She pointed out she is happy to see that the County is putting money aside for parks in the urban area and reminded Council members that all city residents are County residents too and may be the parks needs are being met. She stated when you are talking about acquisition more park, the $15,000.00 an acre is absolute minimum as it relates to terms of operating costs. She indicated in her opinion you have to look at the difference in absolute essential items and something that is desired. She indicated she is hearing from people who are protesting a raise, we now have the ½ cents sales tax and anything the City does to increase tax will just add to the burden. She explained Ms. Cates suggestion about developers donating land is a good idea that she could support. She pointed out the cost of additional parks in her opinion should be placed on the new residents of the city as the older residents have already paid for parks time and time again. She pointed out Cary has some provision requiring dedication of park land and she could support something like that but pointed out it should be dollar value rather than the developer being allowed to donate a tract at the end of the road that is of no value. She indicated we must consider the initial investment as well as operating costs when we are buying property. She indicated Mr. Walters has stated that the City has always been able to come up with money if park land becomes available and she feels the City Council will continue doing that. Ms. Babb indicated, in regard to the comments about the County's move in Parks and Recreation, she is happy to see that at long last they are looking ahead and acquiring park property which she feels they should have been doing for a long time. She pointed out the thrust of the County Parks Program throughout is large community or regional parks and she feels that is a good focus and she wants them to continue that but she feels like the City needs to look at is neighborhood parks pointing out that is the major thrust in municipal parks throughout the city. She indicated everyone talks about liveability and in her opinion Parks and Recreation is not a frill but a basic need as adequate open space is just as important as many of the other services the city considers basic. She talked about park acquisition programs in other cities and states as well as throughout the country and pointed out if we do not acquire park land now that in the next fifteen to twenty years the residents of the city will have to pay the price to get any land. She indicated in her opinion one of the best things the City Council has ever done was to purchase Camp Durant. She spoke to the Laurel Hills park acquisition and the use of BOR funds which have been used in park acquisition in the past pointing out these funds are no longer available. She indicated she is a strong supporter of downtown development and she will continue to support that. She indicated some people say that appropriating $300,000.00 for park acquisition is a bold step but in her opinion if it is not taken it will be a serious mistake. Mr. Keller indicated he has very strong feelings on this pointing out land acquisition is very important and when good land becomes available he feels the city will come up with purchase it. He pointed out, however, at the same time he knows the way the budget process works and to put money in a line item in the budget to buy some 15 acres of land each year whether it is good land or not it is a bad mistake. He indicated when you put money in a budget it puts pressure on the department to run out and spend it whether it is needed or not. He indicated in his opinion he had rather make the policy that if good land become available that the City Council will find money to purchase it. Lengthy discussion took place with it being pointed out that just because the money is in a line item it can not be purchased without City Council approval. Park acquisition would still go through the Real Estate process and each acquisition would have to be approved by the City Council. The livability in Raleigh as it relates to the parks program and the possibility that Raleigh is falling behind by not acquiring park property was discussed at length. Ms. Block indicated to her the Council is making a illogical move in that the Council just voted to take the 3½% to 4% tax cap off of Parks and Recreation and turn it around and put in a certain amount of money in the budget for parks. This was discussed at length. Discussion took place on the budget process with various Council members indicating they felt that we should determine how much money we have and then divide it up with others indicating we should look at the needs and then set the tax rate. Mr. Walter indicated even with a hold the line budget that three out of four families will have higher tax bills this year because of the reevaluation.

Mr. Calloway indicated he would generally supportive of the motion on the floor but it raises the question as to whether there will be a policy as to what areas the park land acquisitions will go in. Ms. Babb indicated she made the motion but was very careful not set any area that the money would be spent in. She indicated if the motion on the floor passes then it is her idea for the Council to direct Administration to come back to the Council with a land acquisition plan based on the May 29 memo which outlines parks needs as set out in the Comprehensive Plan and other factors such as the Parks and Recreation Advisory Board recommendation, etc. and then the Council could act on that policy decision. Ms. Babb indicated no one likes tax increase but pointed out Raleigh is an affluent area and we can afford to provide the high level of service that people want and demand. Ms. Cates indicated she wanted to move forward with land acquisition pointing out she would be willing to postpone development projects until we acquire more land. Ms. Black indicated this the first time she had heard anyone say postpone development projects pointing out we are adding new pools and the operating cost will add ½ cents to the proposed tax rate. She indicated maybe we should set back and look at what we are doing at an operating

budget level pointing out we are spending more money than any other city in North Carolina on parks with Ms. Babb pointing out that is on parks operating costs not parks acquisition.

Mayor Upchurch indicated at todays meeting he feels that the Council has decided to look at the parks program as we look at other departments in the City. He indicated then he hears Council member talk about maintenance, operating costs and acquisition and what he really hears the Council talking about is $300,000.00 for land acquisition for parks because we cannot spend money in subsequent years. He indicated he sees this as a change of direction of the Council in that the Council would be saying that they want to put the emphasis on land acquisition and this would be a new direction with Ms. Babb indicating that is correct but she does not see this as a low maintenance and operating budget. Ms. Block pointed out if we postpone development of one or two pools for a year or two then we would have the money for land acquisition and not have to take it away from some other program with brief discussion taking place as to where the $300,000.00 would come from. Mr. Keller indicated this is a tough decision as he still feels that by putting a line item in the budget for land acquisition it is implied pressure on the Parks and Recreation Department to spend that money and he would feel better if it were put in City Council contingency. Ms. Cates made a substitute motion that the $300,000.00 for this year for land acquisition in the parks program go in the City Council contingency and be earmarked for land acquisition. This substitute motion was seconded by Mr. Keller, but after brief discussion was ruled out of order because you cannot earmark money in the City Council contingency. Ms. Babb indicated if we did put it in City Council contingency, she feels that would be a weakening of the position pointing out the whole idea behind her motion is to say to Administration that this Council is going to take an aggressive stand in land acquisition, and she feels that putting it in a line item for land acquisition is a mandate that the Council is putting a high priority on land acquisition that the Council is saying they want the money spent on land acquisition and would be saying to Administration to come back with an acquisition plan and the staff would have the responsible for seeking that land and bringing it to the Council through the Real Estate Committee process. The motion was as stated was put to a vote which results as follows: Ayes - Upchurch, Babb, Calloway, Cates, Congleton; Noes - Keller, Block, Walters. The Mayor ruled the motion adopted.

Ms. Babb indicated as she understands the action on the motion Administration would be director to go ahead and prepare a park acquisition plan to be submitted back to the City Council. This was agreed to.

Ms. Cates moved that the matter relating to amending the subdivision regulations in a way that would require developers of large tracts of land to set aside land for public facilities be referred to Public Works Committee. Her motion was seconded by Ms. Block and put to a vote which passes unanimously. The Mayor ruled the motion adopted.

Other discussion took place on the Capital Improvement Program with Ms. Cates referring to Parks item R-17 in which the Theatre in the Park had ask for $150,000.00 for air conditioning and renovation. She indicated this building has a very high cost of utilities due to no insulation and she feels if the renovations were authorized then it would be a more cost efficient building to operate. She spoke how hot it is for the audience as well as the actors, therefore, Ms. Cates moved that the $78,000.00 in R-17 be moved to 84-85 in the CIP. City Manager Benton indicated we are still talking about the Capital Improvement Program and whatever the Council does for FY 84-85 will have to be translated into the operating budget. He indicated the $300,000.00 will have to be put in the operating budget for 84-85 and we will have to come up with additional funding for that. He indicated if the $78,000.00 is also moved up to the 84-85 fiscal year of CIP then additional revenue sources will have to be found as that too will have be translated into the proposed 84-85 operating budget. Mr. Walters indicated this is the first year he knows of that the Council has adjusted the CIP without knowing exactly what it is doing to the current tax rate it is going to have and then wheel and deal as to what can be accomplished within that money pointing out during this meeting alone enough has been added that we will have to increase tax. Discussion took place on the Theatre in the Park and the fact that the last Council decided to fund the Carolina Regional Theatre for summer theatre program and possibly Theatre In the Park could be the winter program with Ms. Babb pointing out Theatre In the Park is so oriented towards children and their abilities and promoting children theatre and the summer is when they are out of school and need to have the facility available to them. She asked how much one cent tax rate would bring in with City Manager Benton indicating approximately $535,800.00. The motion to move the $78,000.00 for Theatre In the Park to FY 84-85 in the CIP was put to vote with results as follows: Ayes - Babb, Calloway, Cates, Congleton; Noes - Upchurch, Walters, Keller, Block. The Mayor ruled the motion defeated. Discussion then took place on the bond issue and the amount it is costing to construct the swimming pools. Mr. Walters indicated we did not have a bond referendum for six pools we have a bond referendum for $300,000.00 worth of pools, and we have already determined that $300,000.00 will not build six pools, therefore, he would move that the sixth pool of the bond referendum money be removed from the Capital Improvement budget as we do not have bond referendum money to pay for the six pools. He indicated this would just be moving it off the five year funding plan, but it could still be included in the master plan. That motion did not receive a second.

Ms. Cates suggested that $30,000.00 be placed in the 84-85 CIP for restrooms at Mordecai Square. Her motion was seconded by Ms. Babb. Discussion followed with Mr. Walters pointing out there is a proposal in the Real Estate Committee to purchase a house adjacent to Mordecai Square and perhaps bathroom facilities could be made

available in there. Discussion took place after which the motion was put to vote with results as follows: Ayes - Babb, Calloway, Cates, Congleton; Noes - Upchurch, Keller, Walters, Block. The Mayor ruled the motion defeated.

Mr. Calloway indicated he wanted the City Council to consider the issue of housing. He pointed out at the Tuesday Council meeting the Council approved a study plan relating to Comprehensive Housing Needs in the City and what he is concerned about is that we set a certain amount aside in the Capital Improvement Program to use in housing in the future not stating where the money will be used but acknowledging that the Council is committed to housing. He indicated the Council has talked out using the half cents sales tax in utilities and the road program. He also pointed out the Council was given the hopeless statistics about federal funding for housing and at this point he would like to suggest putting some money in reserve to pursue projects that may come out of the Comprehensive Housing Program. He suggested that we put in the FY 84-85/88-89 budget following amounts for housing from sales tax, Year One - $225,000.00; Year Two - 0; Year Three - $250,000.00; Year Four - $250,000.00; Year Five - $250,000.00. This motion was seconded by Ms. Babb. Ms. Cates asked if this is the same item that the Raleigh Housing Authority or the RWCA asked about at the public hearing on June 5. Mr. Calloway indicated that the Housing Authority gave a report but he is not tying the money to any particular spending plan he is just asking that the funds be put in reserve for housing and it would not be attached to any particular agency or program. City Manager Benton indicated with this action, the City Council would have essentially allocated the full amount we anticipated receiving from the one half cents sales tax. He indicated we do not know the total amount we will receive. It could be more than his projections or less. He indicated if we get less than the projection, then the Council would have to make some policy decisions. Mr. Walters moved that the motion be amended to say that the City Council would allocate "up to" the amount indicated by Mr. Calloway for housing. The substitute motion was seconded by Ms. Block and after brief discussion put to a vote which results as follows: Ayes - Keller, Block, Walters; Noes - Upchurch, Babb, Calloway, Cates, Congleton. The Mayor ruled the substitute motion defeated. The original motion as made by Mr. Calloway was put to vote which resulted in all members voting in the affirmative except Mr. Walters and Ms. Block who voted in the negative.

Ms. Babb moved approval of the Capital Improvement Program as presented with the amendments that had been made by the Council. Her motion was seconded by Mr. Congleton. Mr. Upchurch indicated as he understands this motion that would include the transportation element and plan without any priorities. Mr. Walters stated he would vote for this motion with the reservation that if a tax increase results he will vote against the total budget. The motion as stated was put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1984) 550

A RESOLUTION ADOPTING THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 1984-85 THROUGH 1988-89

WHEREAS, a proposed Capital Improvement Program for Fiscal Years 1984-85 through 1988-89 was presented to the City Council on April 3, 1984; and

WHEREAS, the proposed Capital Improvement Program describes major capital projects, funding schedules, and a capital financing plan recommended by the City Administration; and

WHEREAS, The Capital Improvement Program provides a comprehensive framework for accomplishing needed public improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the document titled "Capital Improvement Program, 1984-85 through 1988-89" and dated April, 1984, is adopted as amended in Section 2 below, as a policy to guide capital budgeting, financial planning, schedules for project design and land acquisition, and other activities related to the accomplishment of capital projects.

Section 2. That the document titled "Capital Improvement Program, 1984-85 through 1988-89" and dated April, 1984, is hereby amended as follows:

a. Add Industrial Access Roads at $250,000 in 1984-85 with funding from Powell Bill reserves.

b. Add site acquisition for parks at $300,000 per year for five years with funding for the Parks and Recreation Program to be provided by the General Fund and Reserves.

c. Add Housing Program at $225,000 in 1984-85, $250,000 in 1986-87, $250,000 in 198-88, and $250,000 in 1988-89 with funding from supplemental sales and use tax.

d. Add Perry Creek-Neuse Basin Outfall Sewer at $6,600,000 in 1985-86 with funding from supplemental sales and use tax, Wake County, and private sources.

e. Revise funding plan to replace the proposed wastewater bond issue with funding from supplemental sales and use tax.

Section 3. That the adopted Capital Improvement Program supersedes all previously adopted Capital Improvement Programs.

Section 4. That the adopted Capital Improvement Program may be amended by the City Council with budgetary actions or other actions related to the authorization of specific projects and by the adoption of future Capital Improvement Programs.

Mr. Benton indicated as he understood the action the Council has approved the Capital Improvement Program as proposed with the addition of $300,000.00 for land acquisition, the addition of $250,000.00 in FY 84-85 for the industrial access roads, $2,500,000.00 for 84-85 Raleigh Road Construction Program assuming that the Utility funding program would involve utilizing the one half cents sales tax in the addition of $225,000.00 for 84-85 for housing items. The Council agreed.

RECESS AND ADJOURNMENT

Mayor Upchurch announced the Special City Council meeting recessed at 5:00 p.m. to be reconvened to consider employee evaluations. At 6:00 p.m. Mayor Upchurch indicated because of the time, the Council would not go into executive session to consider the employee evaluations that they would be considered at the next meeting, therefore, the City Council meeting was adjourned at 6:00 p.m.

Gail G. Smith
City Clerk

cmc/SB1/3